

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Treasuries and Accounts (Gazetted) Services – Sri G.P.Prasada Rao,
Joint Director - Restoration of notional seniority in the categories of Dy.Director/Chief
Accounts Officer and Joint Director – Orders - Issued.

FINANCE (ADMN.I.VIG.) DEPARTMENT

G.O.Rt.No.3091

Dated 18-07-2008.

Read the following:-

1. G.O.Rt.No.1448, Finance (Admn.I.Vig.) Department dt.08.07.1997.
2. G.O.Rt.No.1847, Finance (Admn.I.Vig.) Department dt.27.10.1997.
3. G.O.Rt.No.311, Finance (Admn.I.Vig) Department dt.19.2.2003.
4. G.O.Rt.No.3538, Finance (Admn.I.Vig) Department dt.22.9.2005.
5. Representation of Sri G.P.Prasada Rao, Joint Director dated 3.3.2006.
6. Govt. Memo.No.998/53/A2/Admn.I/2006, dated 17.4.2006.
7. Representation of Sri G.P.Prasada Rao, Joint Director dt. 12.12.2007.
8. Govt. Memo.No.998/53/A2/Admn.I/2006, dated 16.2.2008.
9. Representation of Sri G.P.Prasada Rao, Joint Director dt. 13.05.2008
10. DTA Lr.No.C1/6551/2006, Dated 02-06-2008.

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ORDER:

Sri G.P.Prasada Rao, Joint Director while working as District Treasury Officer, Karimnagar two disciplinary cases were initiated against him:

* One is relating to irregular appointments made by him to the posts of Attenders while working s DTO, Karimnagar and

** Second case relates to payment of irregular freedom fighters pension, involved along with others.

In the first case, the Director of Treasuries and Accounts, while considering it an error of judgment on the part of the above officer, let off him with a warning to be more careful in future. In the second case also, Government let off him along with others with a warning to be more careful in future.

2. Sri G.P.Prasada Rao, Joint Director has requested for notional promotion in the category of Deputy Director/Chief Accounts Officer in the panel year 1994-95, in view of his being let off from the charges. Government has examined his request and he was promoted to the category of Deputy Director/Chief Accounts Officer with retrospective effect from 28-04-1995 FN i.e. the date on which his immediate Junior Sri Y.Latchaiah was promoted to that category vide reference 2nd read above.

3. Further, Sri G.P.Prasada Rao, Joint Director has also requested to revise his seniority in the category of Deputy Director/Chief Accounts Officer for the panel year 1993-94 as his name was passed over due to the adverse remarks in the ACRs which were expunged subsequently by the Government vide G.O.1st read above. Government have examined the request of individual and issued orders vide G.O. 3rd read above, duly appointing him notionally to the category of Deputy Director/Chief Accounts Officer on par with his junior Sri T.V.Anjaneyulu w.e.f. 21.2.1994 in relaxation of provisions under Rule 33 (a) of Andhra Pradesh State and Sub-ordinate Service rules.

4. In the G.O. 4th read above, orders were issued canceling the G.Os. 2nd and 3rd read above, as he was not fully exonerated from the charges and when the words like warning, let off etc. are used it is to be construed that the charges and guilt of the officer have been proved but a lenient view is taken and no punishment is awarded and thus he is not eligible for notional promotion as per the orders issued in G.O.Rt.No.424, G.A. (Ser.A) Department, dated 25-05-1976.

5. The Hon'ble APAT in O.A.No.217 and 2578/02 filed by Smt. B.Vijaya Lakshmi, Deputy Director squashed the Govt. Memo.No.1353/III/Admn.I/A2/2001, dated 1-2-2002 duly observing that the so called "warning" cannot even be termed as a legal punishment, no consequences, particularly, no adverse consequences, can flow there from to the applicant and allowed the O.A. and directed the respondents (Government & DTA) to restore the applicant to her original position in terms of G.O.Ms.No.68, dt. 26-5-97 and accord her notional seniority with reference to the date on which her immediate junior was promoted and accordingly Government assigned notional promotion to Smt. B.Vijaya Lakshmi, Deputy Director, Mahaboobnagar in the category of Accounts Officer/District Treasury Officer with effect from 26-5-1997 on par with her immediate junior, Sri C.K.Sundara Murthy Rayan, as per the placement given to her in the approved panel for the year 1996-97 vide G.O.Rt.No.529, Finance (Admn.I) Department, Dated 22-2-2006.

6. Sri G.P.Prasada Rao, in his representations at references 5th, 7th and 9th read above has requested to extend the same benefit to him for the reason that the warning is not a penalty as per the Rule 9 of A.P.C.S. (CCA) Rules, 1991 and also the legal position as stated by the Hon'ble A.P. Administrative Tribunal in the case of Smt. B.Vijaya Lakshmi and restore his seniority in the categories of Deputy Director/Chief Accounts Officer and Joint Director as his case is very similar to Smt. B.Vijaya Lakshmi.

7. Government, after careful examination of the matter, hereby order for restoration of the orders of assigning notional promotion/seniority in the category of Deputy Director/Chief Accounts Officer in respect of Sri G.P. Prasada Rao issued in G.O.Rt.No.1847, Finance (Admn.I.Vig.) Department dt.27.10.1997 assigning notional promotion with retrospective effect from 28.4.1995 FN, on par with his junior Sri Y.Lachaiah and orders issued in G.O.Rt.No.311, Finance (Admn.I) Department dt.19.2.2003 assigning notional seniority on par with his junior Sri T.V.Anjaneyulu, w.e.f. 21.2.1994 in relaxation of provisions under Rule 33 (a) of A.P.State and Subordinate Service Rules, 1996 and also decided to assign notional seniority in the category of Joint Director consequently.

8. The Director of Treasuries and Accounts is requested to furnish necessary material so as to conduct review DPC to assign notional seniority to Sri G.P.Prasada Rao in the category of Joint Director immediately.

9. The G.O. is available on Internet and can be accessed at the address <http://www.goir.ap.gov.in>.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

VASUDHA MISHRA
SECRETARY TO GOVERNMENT (FP)

To
Sri G.P.Prasada Rao, Joint Director through the Director of Treasuries and Accounts,
A.P., Hyderabad
The Director of Treasuries and Accounts, Hyderabad.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER